



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/933,493	08/20/2001	Stefan M. van den Oord	MOBJ-01000US0	6164
23910	7590	12/04/2006	EXAMINER	
FLIESLER MEYER LLP 650 CALIFORNIA STREET 14TH FLOOR SAN FRANCISCO, CA 94108			BURGESS, BARBARA N	
			ART UNIT	PAPER NUMBER
			2157	

DATE MAILED: 12/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/933,493

Applicant(s)

VAN DEN OORD ET AL.

Examiner

Barbara N. Burgess

Art Unit

2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 September 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15, 17, 24-27 and 29-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15, 17, 24-27 and 29-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input checked="" type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. <u>20061127</u> . |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____. | 6) <input type="checkbox"/> Other: _____. |

DETAILED ACTION

This Office Action is in response to Amendment filed September 11, 2005. Claims 20-21 are cancelled as requested by Applicants. Claims 1-15, 17, 24-27, 29 are presented for further examination. Claims 34-37 are newly added and are presented for initial examination.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1- 15, 17, 24-27, 29-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zimowski et al. (hereinafter "Zim", US Patent 5,632,015) in view of Spaey et al. (hereinafter "Spaey", US Patent Publication 2002/0055981 A1).

As per claims 1, 24, 29, 32-33, Zim discloses a system, user interface mechanism, and method of providing session-based retrieval and at a client system of string-based content from a server comprising:

- A communication protocol that enables session based connection between a client system and a server system, and allows the client system to send, within a single session between the client system and the server system, a plurality of

Art Unit: 2157

consecutively input query strings, to query the server system for string-based content (column 2, lines 18-23, 27-30, 55-58, column 3, lines 40-45);

- A client object, in communication with a client software at the client system and with the communication protocol, wherein the client object receives additional characters from the client software, and as each character is being received, transmits to a server object at the server system a plurality of consecutive queries, within the same session, to retrieve content from the server system, wherein each consecutive query one of lengthens or shortens the query string by additional characters, and forms an increasingly focused query string for retrieving matching content from the server system (column 2, lines 40-45, column 3, lines 48-67, column 8, lines 18-29, 45-63);
- A server object, in communication with the server system, and with the client object via the communication protocol, wherein the server object in response to receiving each consecutive query as it lengthens or shortens the query string by the additional characters, automatically matches the increasingly focused query string against the content of the server system (column 2, lines 47-58, column 3, lines 1-10, column 4, lines 3-14, 44-61).

Zim does not explicitly disclose:

- A communication protocol that enables an asynchronous session based connection between a client system and a server system;
- Asynchronously returns increasingly relevant content information to the client object for immediate use by the client system.

Art Unit: 2157

However, it is well-known to one of ordinary skill in the art the advantages of using a communication protocol that enables an asynchronous session and asynchronously returning relevant content as evidenced by Spaey (paragraphs [0004, 0157, 0167]).

Therefore, one of ordinary skill in the art at the time the invention was made would have found it obvious to incorporate or implement Spaey's asynchronous session and asynchronously returning relevant content in Zim's system allowing search to take place for each character.

As per claim 2, Zim discloses the system of claim 1 wherein said client object operates on or at a first computer and said server object operates on or at a second computer and wherein both of said first and said second computers are connected via a network protocol (column 3, lines 40-60, column 4, lines 3-15).

As per claim 3, Zim discloses the system of claim 1 wherein said server object and said client object runs on the same computer (column 4, lines 66-67, column 5, lines 1-3).

As per claim 4, Zim discloses the system of claim 1 wherein said server object runs on a plurality of separate computers, and wherein said client queries received during the session are distributed over said separate computers (column 4, lines 3-15).

Art Unit: 2157

As per claim 5, Zim discloses the system of claim 1 wherein said server object stores previously received strings and returns said stored strings to the client in response to new client queries received during the session, without accessing said content (column 4, lines 30-55).

As per claim 6, Zim further discloses the system of claim 1 wherein said client software is embedded into a software application that provides a visual interface to an operator (column 3, lines 48-67).

As per claim 7, Zim discloses the system of claim 1 wherein said client software is used as a content engine for another software system (column 3, lines 50-58).

As per claim 8, Zim discloses the system of claim 1 wherein said client software accumulates a plurality of said single character queries as they are entered into the client, before sending them together to said server as a single query string (column 4, lines 15-25).

As per claim 9, Zim discloses the system of claim 1 wherein said client software stores previously received responses from the server and uses these as the response to a new query by the user, without reassessing the server (column 8, lines 9-20).

Art Unit: 2157

As per claim 10, Zim discloses the system of claim 1 wherein said client software stores a pre-defined string and automatically transmits it to the server as the client software is first accessed, and wherein additional entry of query characters is not required before server responses are sent to the client (column 8, lines 30-45).

As per claim 11, Zim discloses the system of claim 1 wherein said server stores the state of query and response of the client software, and restores the state of the client software after any interruption in said communication protocol (column 9, lines 20-43).

As per claim 12, Zim discloses the system of claim 1 where said client software adds a qualifier to the query that is passed to the server, whereby the server can use said qualifier to execute the query and return appropriate results based on both the query string and its qualifier (column 7, lines 43-55).

As per claim 13, Zim discloses the system of claim 1 where said client software identifies a user of the system to the server whereby the server can store statistics and provides a history of queries and corresponding responses appropriate to said user (column 8, lines 45-60).

As per claim 14, Zim discloses the system of claim 1 where said server system comprises a server tier and a syndication tier, and wherein said client software communicates to the server tier on a single computer, and wherein each query is

Art Unit: 2157

forwarded by the server tier and the syndication tier to an appropriate syndicate of content channels connected to the server tier on a different computer (column 9, lines 40-57).

As per claim 15, Zim discloses the system of claim 1 where said server applies a content dependent pattern and filter to characters received from the client before queries are matched against the content (column 6, lines 45-64).

As per claim 17, Zim further discloses the system of claim 1 where server responses comprise lists of strings, wherein each string is accompanied by corresponding metadata, whereby the metadata contains logical links to other data sources of Uniform Resource Identifiers (column 7, lines 20-40).

As per claim 25, Zim discloses the mechanism of claim 24, wherein said user interface element is an application input field (column 5, lines 56-60).

As per claim 26, Zim discloses the mechanism of claim 24, wherein said session indicator displays a triangular display element to indicate the presence of said session, and does not display said triangular display element to indicate the absence of said session (column 6, lines 1-13).

Art Unit: 2157

As per claim 27, Zim discloses the mechanism of claim 24, wherein said status indicator displays one, or a plurality of arrow display elements to indicate the transfer of data from said client application to said server during said session, and the presence of available session-specific content at said server (column 6, lines 23-41).

As per claim 30, Zim discloses the system of claim 21 wherein the server object matches each query received from the client against an in-memory cache, and returns cached content to the client without accessing said content engine, unless the cached content has expired since it was last received from said content engine (column 9, lines 1-25).

As per claim 31, Zim discloses the system of claim 21, wherein the server analyzes the time between said consecutive queries received from each client system, and skips selected ones of said consecutive queries to reduce network communications and the load on said content engine (column 9, lines 45-67).

As per claim 34, Zim discloses the system of claim 1, whereby the client object indicates the selection of the content sources to be queried to the server when said session is initiated and when content source selection changes are needed thereafter, without needing to embed said content source selection with each of said consecutive string-based queries (column 12, lines 30-55).

As per claim 35, Zim discloses the system of claim 1 whereby said session is shared by multiple client objects that exchange messages with the same server system, whereby each client object identifies a different content source selection to which said consecutive queries from the individual client object will be mapped by its corresponding server object (column 11, lines 40-65).

As per claims 36-37, Zim discloses a system and method for providing session-based searching of string-based content from a server, comprising:

- a user interface that allows a user at a client to enter a string of consecutively input queries to query the server for string-based content, wherein each consecutive query lengthens the query string by one or more additional characters (column 2, lines 18-23, 27-30, 55-58, column 3, lines 40-45);
- a communication protocol that transmits, via a client object at said client, to a server object at the server, the plurality of consecutive queries, to retrieve content from the server, wherein each additional character is immediately transmitted to the server object as the user is entering the additional characters in the user interface, to form an increasingly focused query string for retrieving content from the server (column 2, lines 40-45, column 3, lines 48-67, column 8, lines 18-29, 45-63);
- a server object which in response to receiving each query as it is being lengthened or shortened by the one or more additional characters, automatically matches the increasingly focused query string against the content of the server,

Art Unit: 2157

and, as the user is entering queries (column 2, lines 47-58, column 3, lines 1-10, column 4, lines 3-14, 44-61.

Zim does not explicitly disclose:

- A communication protocol that enables an asynchronous session based connection between a client system and a server system;
- Asynchronously returns increasingly relevant content information to the client object for immediate use by the client system.

However, it is well-known to one of ordinary skill in the art the advantages of using a communication protocol that enables an asynchronous session and asynchronously returning relevant content as evidenced by Spaey (paragraphs [0004, 0157, 0167]).

Therefore, one of ordinary skill in the art at the time the invention was made would have found it obvious to incorporate or implement Spaey's asynchronous session and asynchronously returning relevant content in Zim's system allowing search to take place for each character.

Response to Arguments

(d) Applicant's argument has been considered but is moot in view of the new ground(s) of rejection.

Art Unit: 2157

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Barbara N Burgess whose telephone number is (703) 305-3366. The examiner can normally be reached on M-F (8:00am-4:00pm).


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (703) 308-7562. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Barbara N Burgess Examiner

Art Unit 2157

November 27, 2006


ARIO ETIENNE
SUPERVISORY PATENT EXAMINER
ART UNIT 2100